

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action No.
	)	08-00022-03-CR-W-SOW
JULIAN MORALES-FLORES,	)	
	)	
Defendant.	)	

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

**I. BACKGROUND**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on August 13, 2008. Defendant Julian Morales-Flores appeared in person and with retained counsel Henri Watson. The United States of America appeared by Assistant United States Attorney Bruce Rhoades.

On February 6, 2008, an indictment was returned charging defendant and co-defendants Elias Lozano and Cesar Alire-Lozano with one count of conspiracy to possess with intent to distribute marijuana, in violation of 21 U.S.C. § 846, and one count of possession with intent to distribute marijuana, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B). Co-defendants Lozano and Alire-Lozano are scheduled for a change of plea hearing on August 21, 2008.

The following matters were discussed and action taken during the pretrial conference:

## **II. TRIAL COUNSEL**

Mr. Rhoades announced that he will be the trial counsel for the government. The case agent to be seated at counsel table will be either Brian Ford or Jim Svoboda.

Mr. Watson announced that he will be the trial counsel for defendant Julian Morales-Flores.

## **III. OUTSTANDING MOTIONS**

There are no pending motions in this case.

## **IV. TRIAL WITNESSES**

Mr. Rhoades announced that the government intends to call 8 witnesses with or without stipulations during the trial.

Mr. Watson announced that defendant Julian Morales-Flores intends to call 2 witnesses during the trial. The defendant may testify.

## **V. TRIAL EXHIBITS**

Mr. Rhoades announced that the government will offer approximately 25 exhibits in evidence during the trial.

Mr. Watson announced that defendant Julian Morales-Flores will offer approximately 10 exhibits in evidence during the trial.

## **VI. DEFENSES**

Mr. Watson announced that defendant Julian Morales-Flores will rely on the defense of general denial.

## **VII. POSSIBLE DISPOSITION**

Mr. Watson stated this case is definitely for trial.

## **VIII. STIPULATIONS**

Stipulations are likely as to business records.

## **IX. TRIAL TIME**

Counsel were in agreement that this case will take 3 days to try.

## **X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS**

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed March 5, 2008, counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by August 13, 2008;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, August 20, 2008;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, August 20, 2008. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

## **XI. UNUSUAL QUESTIONS OF LAW**

No motions in limine are anticipated. There are no unusual questions of law.

## **XII. TRIAL SETTING**

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on August 25, 2008.

/s/ Robert E. Larsen  
ROBERT E. LARSEN  
U. S. Magistrate Judge

Kansas City, Missouri  
August 13, 2008

cc: The Honorable Scott O. Wright  
Mr. Bruce Rhoades  
Mr. Henri Watson  
Mr. Jeff Burkholder